

081208

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**

ATTORNEY'S DOCKET NUMBER  
080045-00010US  
U.S. APPLICATION NO. (If known, see 37 CFR 1.5)  
10/593,057  
PRIORITY DATE CLAIMED  
March 23, 2004

INTERNATIONAL APPLICATION NO.  
PCT/AT2005/000054

INTERNATIONAL FILING DATE  
February 21, 2005

TITLE OF INVENTION

JOINING PANEL

APPLICANT(S) FOR DO/EO/US

FRANZ KNAUSEDER

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The US has been elected (Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☐ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has **NOT** expired.
  - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A preliminary amendment.
14. ☒ A Supplemental Application Data Sheet
15. ☐ A substitute specification.
16. ☒ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
18. ☐ A second copy of the published International Application under 35 U.S.C 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).



U.S. APPLICATION NO. (if known, see 37 CFR 1.5) <b>10/593,057</b>		INTERNATIONAL APPLICATION NO. <b>PCT/AT2005/000054</b>		ATTORNEY'S DOCKET NUMBER <b>080045-000100US</b>	
20. Other items or information: Return Receipt Postcard Statement Under 37 CFR 3.73(b) Notification of Error in Small Entity Status And Payment of Deficiency Owed <b>Express Mail Receipt No. EV 306533765 US</b>					
The following fees have been submitted				<b>CALCULATIONS</b>	<b>PTO USE ONLY</b>
21. <input type="checkbox"/> Basic national fee (37 CFR 1.492(a)) ..... <b>\$310</b>				\$	
22. <input type="checkbox"/> Examination fee (37 CFR 1.492(c))				\$	
If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) ..... <b>\$0</b> All other situations ..... <b>\$210</b>				\$	
23. <input type="checkbox"/> Search fee (37 CFR 1.492(b))				\$	
If the written opinion of the ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) ..... <b>\$0</b> Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority ..... <b>\$100</b> International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB ..... <b>\$410</b> All other situations ..... <b>\$510</b>				\$	
<b>TOTAL OF 21, 22 and 23 =</b>				\$	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is <b>\$260</b> for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
- 100 =	/50 =		x \$260	\$	
Surcharge of <b>\$130.00</b> for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).				\$ 130	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	- 20 =		x \$ 50	\$	
Independent claims	- 3 =		x \$210	\$	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$370	\$	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.				\$	
<b>SUBTOTAL =</b>				\$	
Processing fee of <b>\$130.00</b> for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				+	\$
<b>TOTAL NATIONAL FEE =</b>				\$ 130	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). <b>\$40.00</b> per property				+	\$ 40
<b>TOTAL FEES ENCLOSED =</b>				\$ 170	
				Amount to be refunded:	\$
				Amount to be charged:	\$ 170

08/18/2008 GFREY1 00000036 201430 10593057  
 01 FC:1617 130.00 DA



U.S. APPLICATION NO. (if known, see 37 CFR 1.5) <div style="text-align: center;">10/593,057</div>	INTERNATIONAL APPLICATION NO. <div style="text-align: center;">PCT/AT2005/000054</div>	ATTORNEY'S DOCKET NUMBER <div style="text-align: center;">080045-000100US</div>
--	---	--

a. ☐ A check in the amount of \$ \_\_\_\_\_ to cover the above fees is enclosed.

b. ☒ Please charge my Deposit Account No. 20-1430 in the amount of \$ 170 to cover the above fees.  
A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 20-1430. A duplicate copy of this sheet is enclosed.

d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038. The PTO-2038 should only be mailed or faxed to the USPTO. However, when paying the basic national fee, the PTO-2038 may NOT be faxed to the USPTO.


**ADVISORY:** If filing by EFS-Web, do NOT attach the PTO-2038 form as a PDF along with your EFS-Web submission. Please be advised that this is not recommended and by doing so your credit card information may be displayed via PAIR. To protect your information, it is recommended paying fees online by using the electronic payment method.

**NOTE:** Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

J. Georg Seka  
 TOWNSEND AND TOWNSEND AND CREW LLP  
 Two Embarcadero Center, Eighth Floor  
 San Francisco, CA 94111-3834

  
 \_\_\_\_\_  
 SIGNATURE  
 \_\_\_\_\_  
 J. Georg Seka  
 NAME  
 \_\_\_\_\_  
 24,491  
 REGISTRATION NUMBER

61456747 v1



<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371</b>		ATTORNEY'S DOCKET NUMBER <b>080045-00010US</b>
INTERNATIONAL APPLICATION NO. PCT/AT2005/000054		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) <b>10/593,057</b>
INTERNATIONAL FILING DATE February 21, 2005		PRIORITY DATE CLAIMED March 23, 2004
TITLE OF INVENTION JOINING PANEL		
APPLICANT(S) FOR DO/EO/US FRANZ KNAUSEDER		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> <li>1. <input type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371.</li> <li>2. <input checked="" type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371.</li> <li>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</li> <li>4. <input type="checkbox"/> The US has been elected (Article 31).</li> <li>5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))           <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).           <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto.</li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ol> </li> <li>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))           <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li> <li>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> </ol> <p>Items 11 to 20 below concern document(s) or information included:</p> <ol style="list-style-type: none"> <li>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li>12. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li>13. <input type="checkbox"/> A preliminary amendment.</li> <li>14. <input checked="" type="checkbox"/> A Supplemental Application Data Sheet</li> <li>15. <input type="checkbox"/> A substitute specification.</li> <li>16. <input checked="" type="checkbox"/> A power of attorney and/or change of address letter.</li> <li>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 – 1.825.</li> <li>18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</li> <li>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</li> </ol>		

# COPY



U.S. APPLICATION NO. (if known, see 37 CFR 1.5) <div style="text-align: center;">10/593,057</div>	INTERNATIONAL APPLICATION NO. <div style="text-align: center;">PCT/AT2005/000054</div>	ATTORNEY'S DOCKET NUMBER <div style="text-align: center;">080045-000100US</div>
20. Other items or information: Return Receipt Postcard <div style="text-align: center;">           Statement Under 37 CFR 3.73(b)            Notification of Error in Small Entity Status And Payment of Deficiency Owed  <b>Express Mail Receipt No. EV 306533765 US</b> </div>		
The following fees have been submitted		<b>CALCULATIONS</b> <b>PTO USE ONLY</b>
21. <input type="checkbox"/> Basic national fee (37 CFR 1.492(a)) ..... <b>\$310</b>		\$
22. <input type="checkbox"/> Examination fee (37 CFR 1.492(c)) If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) ..... <b>\$0</b> All other situations ..... <b>\$210</b>		\$
23. <input type="checkbox"/> Search fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) ..... <b>\$0</b> Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority ..... <b>\$100</b> International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB ..... <b>\$410</b> All other situations ..... <b>\$510</b>		\$
<b>TOTAL OF 21, 22 and 23 =</b>		\$
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$260 for each additional 50 sheets of paper or fraction thereof.		
Total Sheets	Extra Sheets	
- 100 =	/50 =	x \$260
		\$
Surcharge of <b>\$130.00</b> for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).		\$ 130
CLAIMS	NUMBER FILED	NUMBER EXTRA
Total claims	- 20 =	x \$ 50
Independent claims	- 3 =	x \$210
MULTIPLE DEPENDENT CLAIM(S) (if applicable)		+ \$370
<b>TOTAL OF ABOVE CALCULATIONS =</b>		\$
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.		\$
<b>SUBTOTAL =</b>		\$
Processing fee of <b>\$130.00</b> for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).		+
<b>TOTAL NATIONAL FEE =</b>		\$ 130
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). <b>\$40.00</b> per property		+
<b>TOTAL FEES ENCLOSED =</b>		\$ 170
		Amount to be refunded:
		\$
		Amount to be charged:
		\$ 170

# COPY



U.S. APPLICATION NO. (if known, see 37 CFR 1.5) <div style="text-align: center;">10/593,057</div>	INTERNATIONAL APPLICATION NO. <div style="text-align: center;">PCT/AT2005/000054</div>	ATTORNEY'S DOCKET NUMBER <div style="text-align: center;">080045-000100US</div>
--	---	--

a. ☐ A check in the amount of \$ \_\_\_\_\_ to cover the above fees is enclosed.

b. ☒ Please charge my Deposit Account No. 20-1430 in the amount of \$ 170 to cover the above fees.  
A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 20-1430. A duplicate copy of this sheet is enclosed.

d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. The PTO-2038 should only be mailed or faxed to the USPTO. However, when paying the basic national fee, the PTO-2038 may NOT be faxed to the USPTO.


**ADVISORY:** If filing by EFS-Web, do NOT attach the PTO-2038 form as a PDF along with your EFS-Web submission. Please be advised that this is not recommended and by doing so your credit card information may be displayed via PAIR. To protect your information, it is recommended paying fees online by using the electronic payment method.

**NOTE:** Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

J. Georg Seka  
 TOWNSEND AND TOWNSEND AND CREW LLP  
 Two Embarcadero Center, Eighth Floor  
 San Francisco, CA 94111-3834

  
 \_\_\_\_\_  
 SIGNATURE  
  
J. Georg Seka  
 NAME  
  
24,491  
 REGISTRATION NUMBER

61456747 v1

COPY





## UNITED STATES PATENT AND TRADEMARK OFFICE

080045-000100US

JGS, SF

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/593,057	Franz Knauseder	080045-000100US

20350  
TOWNSEND AND TOWNSEND AND CREW, LLP  
TWO EMBARCADERO CENTER  
EIGHTH FLOOR  
SAN FRANCISCO, CA 94111-3834

INTERNATIONAL APPLICATION NO.	
PCT/AT2005/000054	
I.A. FILING DATE	PRIORITY DATE
02/21/2005	03/23/2004

CONFIRMATION NO. 7234  
371 FORMALITIES LETTER



OC000000029091790

Date Mailed: 07/10/2008

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371  
IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- Indication of Small Entity Status
- Priority Document
- Copy of the International Application filed on 09/15/2006
- Copy of the International Search Report filed on 09/15/2006
- Preliminary Amendments filed on 09/15/2006
- Information Disclosure Statements filed on 09/15/2006
- Small Entity Statement filed on 09/15/2006
- U.S. Basic National Fees filed on 09/15/2006
- Substitute Specification filed on 09/15/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)



Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

SHELBY J MILLER

---

Telephone: (703) 308-9140 EXT 224